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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Shawn S. Cornelius et al.

Appln. No.: 09/943,964

Filed: August 31, 2001

For: REMOTELY MONITORING A DATA  
PROCESSING SYSTEM VIA A  
COMMUNICATIONS NETWORK

Examiner: Kamal B. Divecha

Art Unit: 2151

Attorney Docket No: 10022/55

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Sheet (in duplicate); Response to Office Action; Declaration of John C. Freeman (with exhibits); Declaration of Shawn S. Cornelius (with exhibits).
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

July 15, 2005  
Date

Respectfully submitted

John C. Freeman (Reg. No. 34.483)



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US

Date of Deposit: July 15, 2005

Brinks Hofer Gilson & Lione  
Patent Case No. 10022/55

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
 )  
Shawn S. Cornelius et al. )  
 ) Group Art Unit: 2151  
Serial No.: 09/943,964 )  
 ) Examiner: Divecha, Kamal B.  
Filed: August 31, 2001 )  
 )  
For: REMOTELY MONITORING A )  
DATA PROCESSING SYSTEM )  
VIA A COMMUNICATIONS )  
NETWORK )

**RESPONSE PURSUANT TO 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Response regards the Office Action mailed on April 15, 2005. This Response was not previously presented because it responds to a new reference cited in the Office Action. It is not believed that the present Response will require a new search or raises new issues. Accordingly, Applicants request that the present Response be entered.

**REMARKS**

**A. 35 U.S.C. § 102**

In the Office Action mailed on April 15, 2005, claims 1 and 8-12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sato et al. Applicants traverse the rejection. In